

PATENT  
450100-03143**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 7-10 are pending. Claims 7, 9 and 10 are independent and are hereby amended. Support for the amendments is found throughout the specification as originally filed. No new matter has been added.

Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

**II. CLAIM OBJECTIONS**

Claim 10 has been amended to overcome the Examiner's objections.

**III. REJECTIONS UNDER 35 U.S.C. §103**

Claims 7 and 9-11 were rejected under 35 U.S.C. §103(a) as allegedly anticipated by U.S. Patent No. 6,658,195 to Senshu et al. (hereinafter, merely "Senshu") in view of U.S. Patent No. 6,115,537 of Yamada et al. (hereinafter, merely "Yamada");

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Claims 7 and 9-11 were rejected under 35 U.S.C. §103(a) as allegedly anticipated by U.S. Patent No. 6,026,212 to Oguro in view of Yamada; and

Claim 8 was rejected under 35 U.S.C. §103(a) as allegedly anticipated by Senshu in view of Yamada and further in view of U.S. Patent No. 5,940,016 to Lee. Applicants respectfully traverse these grounds for rejection.

Applicants respectfully traverse these rejections.

Amended claim 7 recites, *inter alia*:

A magnetic-tape recording apparatus for recording digital data on a magnetic tape

... wherein the first-group data has a sector structure of a main data area storing said video data, said audio data, or said search data and a sync block header identifying the type of the main data;

... on a track in the magnetic tape; and

wherein the track includes at least two sub-track data areas each having a respective main data area and each main data area includes a respective sync block header." (emphasis added)

Amended claim 7 recites, "the track includes at least two sub-track data areas each having a respective main data area and each main data area includes a respective sync block header."

FIG. 5 shows a detailed example structure of sectors inside two sub-tracks (sub-track A and sub-track B). Both the sub-track A and the sub-track B have the sector structure described below including a respective main data area (in the main sector). FIG. 7 shows the structure of each main sector. Each main sector is formed of sync blocks. The sync blocks include a respective sync-block (SB) header and respective main data. As recited in claim 7, "a sync block header identifying the type of the main data."

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Thus, amended claim 7, provides for a magnetic tape having a track that includes at least two sub-tracks. Each of the sub-tracks has a main data area wherein the type of data (audio, video or search data) in the main data area is identified in a respective sync block header.

Applicants submit that claim 7 is patentable over Senshu, Oguro, Yamada and Lee because none those references either alone or in combination teach or suggest each and every element recited in the claim. In particular, the references do not teach or suggest, "the track includes at least two sub-track data areas each having a respective main data area and each main data area includes a respective sync block header" as recited in the claim.

Independent claims 9 and 10 are similar in scope and are patentable for similar reasons.

### III. DEPENDENT CLAIM

Claims 8 depends from claim 7 discussed above and is, therefore, believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### IV. DOUBLE PATENTING

Claims 7, 9 and 10 were rejected for obviousness-type double patenting over claims 1, 5 and 6 of co-pending U.S. Patent Application No. 09/817,515 in view of Oguro. Applicants note that this should have been a provisional rejection because both the present application and the cited application are co-pending. MPEP 804.

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However, the rejected claims of the present application have been amended to include the features of an embodiment that is patentably distinct from the cited application and patent. Thus, Applicants respectfully request withdrawal of the provisional double-patenting rejection.

### CONCLUSION

In view of the foregoing amendments and remarks, it is believed that remaining claims 7-10 have been placed in condition for allowance and Applicants respectfully request early passage to issue of the present application.

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issuance of the present application.

Respectfully submitted,

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